

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	<b>8:06CR238</b>
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>FABIAN ARTURO JIMINEZ-ORTIZ,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on the motion of David M. O'Neill, Assistant Federal Public Defender, to withdraw as counsel for the defendant, Fabian Arturo Jiminez-Ortiz [13]. Since retained counsel, James E. Mitchell, has entered an appearance for the defendant [12], the motion to withdraw [13] is granted. David M. O'Neill shall be deemed withdrawn as attorney of record and shall forthwith provide James E. Mitchell with the discovery materials provided the defendant by the government and such other materials obtained by Mr. O'Neill which are material to the defendant's defense.

**IT IS SO ORDERED.**

DATED this 21<sup>st</sup> day of September, 2006.

BY THE COURT:

s/ F.A. Gossett  
United States Magistrate Judge